

Dated: February 7, 2013

Respectfully submitted,

PROSKAUER ROSE LLP

By: Robert J. Cleary / per

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Attorney for Cia Minera San Simon S.A.

**Claim for Any and All Funds on Deposit and/or Seized from
Banco de Comercio Account Number 02304512002007515282**

I, JOSE ALBERTO TERRONES ALVARADO, am the General Manager of Claimant Cia Minera San Simon S.A. ("San Simon"). Under penalty of perjury, I hereby file this claim contesting the forfeiture of any and all funds in Banco de Comercio Account Number 02304512002007515282, identified as defendant-in-rem in the above-captioned action.

1. San Simon is making a claim contesting the forfeiture of any and all funds seized from and/or on deposit in Banco de Comercio Account Number 02304512002007515282, identified in the above-captioned action.
2. San Simon is the owner of this account, as well as any and all funds contained therein and seized therefrom, and is identified as the named accountholder for the Banco de Comercio Account Number 02304512002007515282 in the Complaint.

I swear under penalty of perjury, pursuant to the laws of the United States, that the foregoing is true and correct to the best of my information and belief.



JOSE ALBERTO TERRONES ALVARADO

Dated: Lima, February 1, 2013
January 31, 2013
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CERTIFICATE OF SERVICE

I hereby certify that, on February 7, 2013, I caused a true and correct copy of the Notice of Claim to be served via CM/ECF system upon Preet Bharara, United States Attorney for the Southern District of New York, Sarah E. Paul, Assistant United States Attorney, and Paul Monteleoni, Assistant United States Attorney.

/s/ Robert J. Cleary
Robert J. Cleary